

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, : Case No. 3:09-cr-146

Plaintiff, :

- vs - : District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

RONALD GARRETT, :
Defendant.

ORDER ADOPTING SUBSTITUTED REPORT AND RECOMMENDATIONS

The Court has reviewed the Substituted Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 101), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Substituted Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's § 2255 Motion (ECF No. 92) be dismissed with prejudice for failure to state a claim upon which relief can be granted under 28 U.S.C. § 2255.

March 23, 2017

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge